

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

Vs.

Crim. No. 05--1849-JH

BENJAMIN SWENTNICKAS,

Defendant.

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

06 MAY 30 PM 4:09

CLERK ALDO VERGUE

**MOTION FOR ADMISSION OF NON-RESIDENT ATTORNEY PRO HAC VICE**

COMES NOW Defendant BENJAMIN SWENTNICKAS, by and through his undersigned counsel, and moves this Court for the admission of a non-resident attorney *pro hac vice* pursuant to D.N.M. LR-Civ. 83.3 to permit his participation in association with the undersigned counsel in the above-styled cause.

1. Defendant BENJAMIN SWENTNICKAS is charged in an Indictment with conspiracy to distribute 1000 kilograms and more of marijuana in violation of 21 U.S.C. §841(a)(1) and (b)(1)(A), and 21 U.S.C. §846. Defendant is awaiting arraignment.

2. Defendant is a resident of Tucson, Arizona and has retained both the undersigned counsel and an Arizona attorney, Gregory D. D' Antonio Esq. to represent him in this matter.

3. Attorney D' Antonio has been a member in good standing of the Arizona Bar originally licensed in 1976, emphasizing trial work including criminal defense. His Arizona Bar Number is 004689. Attorney D' Antonio has also been admitted to practice before the United States District Court for the District of Arizona. Attorney D' Antonio has his professional offices at:

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GREGORY D. D'ANTONIO  
1602 N. PARK AVE., SUITE C  
TUCSON, AZ 85719

and his mailing address at:

PO BOX 43306  
Tucson, AZ 85733-3306  
Tel. (702) 682 8353  
Fax (702) 222-9717

4. Defendant has been in regular communication with Attorney D' Antonio.

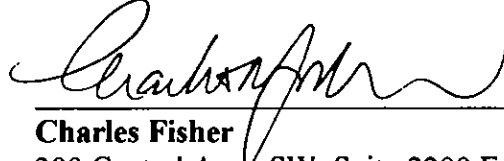
It is clear from those communications, as well as direct communications between Attorney D' Antonio and the undersigned, that Defendant wishes Attorney D' Antonio and the undersigned to represent him in this cause in accordance with the requirements of all applicable rules, including D.N.M. LR-Civ. 83.3.

5. The undersigned has conferred with counsel for the Government, AUSA James Braun, who appropriately does not take any position with respect to this Motion.

WHEREFORE, premises considered, Defendant BENJAMIN SWENTNICKAS respectfully requests that this Court enter an Order granting his Motion for the admission of non-resident attorney Gregory D. D' Antonio, Esq. *pro hac vice* pursuant to D.N.M. LR-Civ. 83.3 to permit his participation in association with his undersigned counsel in the above-styled cause; and providing for such other and further relief to which this Court may find Defendant to be justly entitled.

Respectfully submitted,

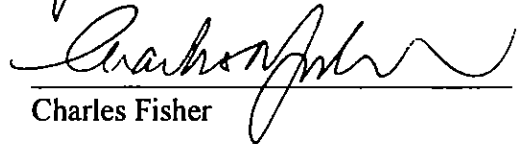
ALLISON & FISHER



**Charles Fisher**  
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Albuquerque, New Mexico 87102  
(505) 247-4099  
Fax (505) 242-4055  
*Attorney for Defendant*

**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing pleading was served by facsimile on James Braun, Assistant United States Attorney, P.O. Box 607, Albuquerque, New Mexico, 87103 on May 30, 2006.



Charles Fisher